

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:06cv452

TERRY LEE SPICER )  
 )  
 )  
vs. ) O R D E R  
 )  
 )  
SCOTT MIRACLE, et al. )  
 )

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**THIS MATTER** is before the Court on its on motion. The Court previously directed the plaintiff to submit his filing fee within ten days January 11, 2007. (Doc. No. 6). This is the second time the plaintiff has failed to pay his filing fee when ordered by the Court.

**IT IS, THEREFORE, ORDERED** that this matter is **DISMISSED** without prejudice..

Signed: February 2, 2007

  
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Robert J. Conrad, Jr.  
Chief United States District Judge 